

# STATE COUNCIL

MONDAY, 22ND JUNE, 1953.

The Council met at 2 p.m., His Honour the President, Sir Frank McDavid, C.M.G., C.B.E., in the Chair.

PRESENT :

The President, His Honour Sir Frank McDavid, C.M.G., C.B.E.

Mr. W. J. Raatgever, C.B.E.

Mr. L. A. Luckhoo.

Mr. W. A. Macnie, C.M.G., O.B.E.

Mr. R. B. Gajraj.

Mr. P. A. Cummings.

Mr. U. A. Fingal.

The Most Reverend Dr. Alan J. Knight, Archbishop of the West Indies.

Mr. G. L. Robertson.

The Most Rev. the Archbishop read prayers.

The President : Hon. Members, as you know the Order in Council provides that until new Standing Rules and Orders have been prepared we should function under the Standing Rules and Orders of the last Legislature. Consequently, this agenda has been drawn up along the lines of the requirements of the existing Standing Rules and Orders.

## MINUTES.

The minutes of the meeting of the Council held on the 26th May, 1953, as printed and circulated, were taken as read and confirmed.

## ANNOUNCEMENTS.

### HER MAJESTY'S GRACIOUS MESSAGE.

The President : Hon. Members, I am the bearer of a Message from His Excellency the Governor, No. 1 dated 30th May, 1953, conveying Her Majesty's Gracious Message on the occasion of the meeting of the first Legislature under the new Constitution. I shall be glad if hon. Members will stand while I read it :—

### MESSAGE No. 1

Mr. President and Members of the State Council,

I have the honour to convey to you the following Gracious Message which Her Majesty the Queen has been pleased to send on the occasion of the meeting of the first Legislature under the new Constitution in British Guiana:—

"It is indeed a happy coincidence that "the year of my Coronation also marks "the introduction of a new Constitution "in British Guiana under which my "peoples will assume more responsibility "for their own affairs. I am glad on this "occasion of the opening of the first Legis- "lature under that Constitution to have the "opportunity to assure both the mem- "bers of the Legislature and my peoples in "British Guiana that I shall watch their "progress with deep and sustained inter- "est.

"The members of the Legislature have "been entrusted with the heavy respon- "sibility of advancing the prosperity and "well-being of the territory, and I know "they will always bear in mind the high "trust that has been placed in them in "carrying out this task. To them and to "my peoples in the territory I send my "greetings on this notable occasion and "my good wishes for the success of the "new Constitution.

ELIZABETH R."

ALFRED SAVAGE.

Governor

GOVERNMENT HOUSE.

British Guiana.

30th May, 1953.

[The President]

SECRETARY OF STATE FOR THE COLONIES'  
GOODWILL MESSAGE

I am also the bearer of a Message from His Excellency the Governor dated 30th May, 1953, conveying the Secretary of State for the Colonies' Goodwill Message on the occasion of the meeting of the first Legislature under the new Constitution. Hon. Members would excuse me if I read it, as I think it should be read :

MESSAGE No. 2

Mr. President and Members of the State Council,

I have the honour to convey to you the following Message which has been received from the Secretary of State for the Colonies:—

"It gives me great pleasure to send a "message of goodwill to the new Legisla- "ture of British Guiana on the occasion "of its opening session. All who have "taken part ever since the appointment "of the visiting Commission in the fram- "ing of the new Constitution deserve our "warm thanks and congratulations. With "the opening of a new era in the political "development of the territory a special "responsibility rests upon the members of "the Legislature to work together for the "good of the people of the territory and "to make a success of the Constitution. It "is my earnest hope that the House and "the Council will build up a tradition of "obligation to the interests of the people, "of orderly debate and of good govern- "ment. I send you all on this memorable "occasion my best wishes for the future.

OLIVER LYTTLETON."  
ALFRED SAVAGE,  
Governor.

GOVERNMENT HOUSE,  
British Guiana.  
30th May, 1953.

MINISTERIAL RESPONSIBILITIES AND  
CODE OF CONDUCT.

I am also the bearer of Message No. 3 dated 9th June, 1953, from His Excellency the Governor conveying a copy of

a despatch from the Secretary of State for the Colonies on the subject of Ministerial Responsibilities and the Code of Conduct to which Ministers are expected to conform in the discharge of their duties. Copies of this Message have been circulated to hon. Members.

MESSAGE No. 3

Mr. President and Members of the State Council,

I have the honour to convey to you a copy of a despatch which I have received from the Secretary of State for the Colonies on the subject of Ministerial responsibilities and the code of conduct to which Ministers are expected to conform in the discharge of their duties.

ALFRED SAVAGE,  
Governor

GOVERNMENT HOUSE,  
British Guiana.  
9th June, 1953.

DESPATCH

BRITISH GULANA  
No. 343

Colonial Office,  
The Church House,  
Great Smith Street,  
Westminster,  
S.W.1  
2nd May, 1953.

Sir,

The occasion of the institution of a new Executive Council under the Constitutional Instruments for British Guiana provides a suitable opportunity for me to address you on certain matters, a proper appreciation of which I regard as being of fundamental importance at this particular time to the people of the Colony.

2. In contrast to the present practice, the unofficial members of the new Executive Council will be directly responsible for the direction and control of a large proportion of Government business. The Constitution provides, amongst other things, that unofficial members of the Executive Council, while so charged with the administration of any Departments or subjects, will be styled "Ministers." In the course of their ministerial duties members will be called upon, both individually and collectively, to deal with and to take decisions upon a wide variety of subjects touching almost all aspects of the life of the community; and

[The President]

situations will no doubt arise from time to time where they may find that their public duties affect or even conflict with their personal and private interests. Situations of this nature could arise in a number of ways and I need mention here only the more obvious contributory factors, such as the nature and extent of a member's private business activities, his financial interest in particular companies or schemes, or his activities and interests as an official of a trade union.

3. Under the new British Guiana Constitution, provision is made for the disqualification for elected membership of the House of Assembly (subject to stated exemptions) of a director or manager of a company which is a party to any subsisting contract with the Government for or on account of the public service. There is a similar provision in respect of membership of the State Council. These provisions do not apply to persons who are merely shareholders in any company. It is however to be expected that when a member of the House of Assembly or the State Council becomes a member of the Executive Council he should, on assumption of office, disclose to the Governor in confidence a full list of his holdings of stocks or shares in all companies whether they are or are not at the same time parties to Government contracts; and, in addition, that he should use the strictest discretion in deciding, in circumstances where his private interest and his public duty conflict, whether he can properly continue to hold such stocks or shares. The question also arises where, in the case of unofficial members of Executive Council, those members should at the time of their appointment or election to Executive Council, divest themselves for the period of their membership of that body of any other outside interests which might conflict with their public responsibilities. Since the unofficial members are to receive salaries from public funds in respect of their functions as Ministers, that can reasonably be expected of them. I believe that this matter is one which is best left to the sanction of public opinion and to the development of custom and usage under the Constitution. The subject is, nevertheless, one of cardinal importance in the development of a healthy system of government, and is, therefore, to be borne carefully in mind by all those whose task it will be to work for development along these lines.

4. While there are certain practical difficulties in attempting to formulate a complete code of behaviour for persons who

are appointed to important public offices and who are charged, in varying degrees, with the direction and conduct of the affairs of Government, some definite rules have been laid down in the United Kingdom which may be of assistance in the working of the new Constitution in British Guiana. In the United Kingdom, certain easily identifiable forms of misconduct, e.g., disclosure of official secrets and corruption generally, are the subject of legislation (the Official Secrets Acts and the Prevention of Corruption Acts). In addition, there is a code of ethics prescribed by rules which have been laid down by successive Governments over a long period. These rules are based on custom and usage of the Constitution, and any serious infringement of them, even though not punishable by law, would incur the drastic penalty of dismissal from office. It may be appropriate, at this juncture in the Colony's progress towards self-government, for me to give the following summary of the rules which govern Ministerial conduct in the United Kingdom:—

- (a) All directorships held by Ministers must be resigned except honorary directorships, directorships in connection with philanthropic undertakings and directorships in private companies which deal wholly or mainly with family affairs or interests and are not primarily engaged in trading. A similar rule applies in the case of Ministers who hold official positions in trade unions.
- (b) Ministers ought not to enter into any transactions whereby their private pecuniary interest might, even conceivably, come into conflict with their public duty.
- (c) No Minister is justified in any circumstances, in using official information that comes to him as a Minister, for his own private profit or for that of his friends.
- (d) No Minister ought to put himself, or allow himself to be put, in a position to be tempted to use his official influence in support of any scheme or in furtherance of any contact in regard to which he has an undisclosed private interest.
- (e) No Minister ought to accept any kind of favour from persons who are in negotiation with, or seeking to enter into contractual or proprietary or pecuniary relations with the Government.

[The President]

- (f) Ministers should scrupulously avoid speculative investments in securities as to which, from their position and their special means of early or confidential information they have, or may have, an advantage over other people in anticipating market changes.
- (g) Ministers should not practise journalism while holding office. This prohibition does not, however, extend to writings of a literary, historical, scientific, philosophical or romantic character.

5. The above rules are by no means exhaustive, but they serve to illustrate the manner in which, in the United Kingdom, the holders of high public office in the service of the Crown are expected and required to conduct themselves; and they may be regarded as "rules of obligation." There are, in addition, certain "rules of prudence" which have never been formulated and which it would be very difficult to formulate in precise or universal terms. One of these rules, however, is that Ministers should carefully avoid all transactions such as the acceptance of gifts of substantial value from members of the public which can give colour or countenance to the belief that they are doing anything which the "rules of obligation" forbid.

I have the honour to be,

Sir,

Your most obedient,  
humble servant.

OLIVER LYTTLETON.

### PRESENTATION OF REPORTS AND DOCUMENTS.

**The President:** I shall ask the Clerk to read the schedule of documents which are to be tabled.

**The Clerk** read the following list--

The Address by His Excellency the Governor on the occasion of the opening of the Legislature under the new Constitution on 30th May, 1953.

The Address by His Honour the President at the opening of the State Council on 26th May, 1953.

Statements of the Accounts of the Georgetown Mariners' Club for the year ended 31st December, 1951.

The Annual Report and Statement of Accounts of the Demerara Electric Company, Limited, for the year ended 31st December, 1952.

The British Guiana Tourist Committee's Report for 1952.

The Report on the Deeds Registry and Supreme Court Registry for the year 1952.

The Annual Report and Statements of Accounts of the Colonial Development Corporation for the year ended 31st December, 1952.

The Report of Investigation into the Public Service, 1953.

The Report by the Conference on West Indian Federation held in London in April, 1953 (Cmd. 8837).

The Factories (Woodworking Machinery) (Safety) Regulations, 1953 (No. 1 of 1953).

The Factories (Safety) Regulations, 1953 (No. 2 of 1953).

The Docks (Safety) Regulations, 1953 (No. 3 of 1953).

Housing Statistics for the half year ended 31st December, 1952.

The Annual Report of the Government Analyst for the year 1952.

### NOTICES.

#### REPLY TO HER MAJESTY'S MESSAGE.

**The President:** I beg to give notice of the motion standing in my name in the second schedule of the Order Paper, inviting the Council to agree to despatch a reply to the Message of Her Majesty the Queen. I shall shortly move the suspension of the Standing Rules and Orders in order to enable me to move that motion today.

#### REPLY TO SECRETARY OF STATE'S GOODWILL MESSAGE.

**Mr. Raatgever:** I give notice of a motion which I propose to move

[Mr. Raatgever]

later by way of a suspension of the Standing Rules and Orders to take it. It relates to a reply to the Message of Goodwill from the Secretary of State for the Colonies on the occasion of the opening of the new Legislature.

REPLY TO HIS EXCELLENCY'S  
ADDRESS.

**Mr. Macnic :** I give notice of the motion standing in my name in the Second Schedule of the Order Paper. The motion deals with the reply of this Council in the form of an address to be presented to His Excellency in reply to his address delivered at the formal opening of the Legislature. I propose to move it at the next meeting of this Council.

The text of the motion is as follows :—

"BE IT RESOLVED—

That the following Address be presented to His Excellency the Governor in reply to his Address delivered on the occasion of the State Opening of the Legislative Session on the 30th of May, 1953.

THE STATE COUNCIL  
to

HIS EXCELLENCY THE GOVERNOR

The State Council has the honour to thank Your Excellency for the speech which you were pleased to deliver at the State Opening of the present Legislative Session.

2. The State Council wishes in the first place to assure Your Excellency that it is and will be ever mindful of the importance of its role under the new Constitution and that it will exercise its constitutional functions with a due sense of responsibility and service to the whole country and its people. In this connection, the State Council records that it emphatically endorses the view and conclusion of the framers of the Constitution that a Second Chamber endowed with reasonable powers of scrutiny and review is and must remain an essential feature of the Legislative process of this country.

3. The State Council desires to express its concurrence with Your Excellency's assertion that the new constitutional and politi-

cal advances secured by this country will prove almost worthless unless they are accompanied by further and sustained economic progress and development.

4. The State Council notes that a reasonably secure financial position has been handed over by the late administration but that, in Your Excellency's view, the peak of revenues from the present average levels of production has possibly been reached with little likelihood of further budget surpluses from which an expanded programme of capital expenditure on development may be financed. The State Council accordingly agrees that dependence must be placed on the introduction of external capital to provide the means by which future development can be obtained.

5. The State Council agrees with Your Excellency that substantial capital will be needed for new development both in the form of Government loans raised in London, in British Guiana or elsewhere, as well as by private investment and considers that all necessary steps should be taken to attract and encourage the introduction of capital from abroad into the country.

6. Like Your Excellency, the State Council anxiously awaits the report of the World Bank Mission which recently visited British Guiana and trusts that the report will provide a comprehensive guide as to the directions in which development should proceed and the priorities to be observed with respect thereto, as well as the means by which the programme recommended can appropriately be financed.

7. The State Council has noted with satisfaction Your Excellency's remarks on the encouragement of "self-help" by the people of the country, assisted by Government grants and loans as being one important aspect of development which should be energetically pursued.

8. The State Council warmly endorses Your Excellency's observations on the need for the development of a spirit of co-partnership between "Capital" and "Labour" and your conviction that both the employers and the Trade Unions must play their respective parts in securing a continued improvement in industrial relations.

9. Finally, the State Council joins with Your Excellency in your plea for internal harmony which is indispensable to progress, and assures Your Excellency that all measures conducive to the welfare of the people of the country will receive its full support."

## ORDER OF THE DAY.

## REPLY TO HER MAJESTY'S MESSAGE.

**The President:** I beg to move that the Standing Rules and Orders be suspended in order to enable me to move the motion notice of which I gave a minute ago.

**Mr. Raatgever** seconded.

Question put, and agreed to.

Relevant Standing Rules and Orders suspended.

**The President:** Hon. Members, the motion of which I gave notice reads as follows:—

BE IT RESOLVED:—

That, with reference to His Excellency the Governor's Message No. 1 to this Council, His Excellency be asked to transmit to the Secretary of State for the Colonies, with the request that it be laid before Her Majesty the Queen, the following reply to Her Majesty's gracious message on the occasion of the meeting of the first Legislature under the new Constitution:—

"The State Council is deeply appreciative of the gracious message of greetings and good wishes sent by Her Majesty the Queen on the occasion of the meeting of the first Legislature under the new Constitution. It regards the coincidence that this new Constitution has been launched in the year of Her Majesty's Coronation as a most happy augury for the future. The State Council is most grateful for Her Majesty's interest in the welfare and progress of Her peoples in British Guiana, and its members desire to assure Her Majesty of their mindfulness of the high trust which has been placed in them and of their continued loyalty and devotion to Her person and to the Throne."

Hon. Members, in addressing this Reply conveying our gratitude to Her Majesty for Her Gracious Message and an expression of our humble duty and our loyalty and devotion to Her Person and to the Throne, I am sure that we are reflecting the sentiments not only of this Council but also of the people of British Guiana as a whole.

During the recent Coronation Celebrations in this Colony we have all witnessed the spontaneous and sincere demonstration by our people of loyalty and affection to Her Majesty and of pride in our place as a member of the British Commonwealth of Nations.

It is fitting that Her Majesty's Coronation should have provided the opportunity for such demonstration and that it should also indeed be the happy augury marking the first sittings of the new Legislature under the new Constitution.

Those of us who saw the Coronation film "A Queen is crowned" must have been struck by the deep spiritual significance of the ceremony and its all-pervading theme.—The dedication by Her Majesty of Herself and Her life to the service of Her people. I confess that I was deeply moved and strengthened in mind by what I saw depicted in that film.

Hon. Members, inspired by Her Majesty's example and fortified by the gracious words of Her Message we approach our task as part of the Legislature of British Guiana under its new Constitution. We acknowledge the trust placed in us and in carrying out that task, and we shall do our utmost in the service of the people of this country. I have the honour to move this motion.

**Dr. Knight:** I have great honour to second the motion so ably proposed and so heartily received by every Member of this Council.

**The President:** I ask that Members signify their unanimous approval of the motion by standing.

Motion unanimously carried, all standing.

REPLY TO SECRETARY OF STATE'S  
GOODWILL MESSAGE

**Mr. Raatgever :** I beg to move the suspension of the Standing Rules and Orders to enable me to move the motion standing in my name on the Order Paper, conveying a reply to the goodwill message of Her Majesty's Secretary of State for the Colonies to the Members of the Legislature of this Colony.

**Mr. Gajraj** seconded.

Question put, and agreed to.

Relevant Standing Rules and Orders suspended.

**Mr. Raatgever :** I beg to move the following motion—

BE IT RESOLVED:—

That, with reference to His Excellency the Governor's Message No. 2 to this Council, His Excellency be asked to transmit to the Secretary of State for the Colonies the following reply to his message of goodwill on the occasion of the opening of the new Legislature:—

"The State Council is grateful for the message of goodwill sent by the Secretary of State for the Colonies on the occasion of the opening of the new Legislature. It recognises the special responsibility which rests upon its members under the new Constitution and is firmly resolved to carry out its obligations in the interests of the people of British Guiana."

I have great pleasure in moving the motion which I have just read.

**Mr. Gajraj :** I have very great pleasure in seconding that.

Question put, and agreed to.

Motion unanimously carried.

**The President :** It will be transmitted as desired. I am afraid that

ends the Order of the Day and we have to adjourn.

THE PRESIDENT'S KNIGHTHOOD

**Mr. Gajraj :** Before you adjourn this Council, Sir, I crave leave of you to make brief reference to the great honour and dignity which have been bestowed upon the President of this State Council by Her Gracious Majesty the Queen. (applause).

On the last occasion when we met, we had the privilege of having Mr. Mc David elected as President of this Council. Since the Coronation of Her Majesty this is the first meeting of the Council, and today we have as President of the Council Sir Frank Mc David. I think it is but right and fitting that this State Council should make a record of what has been a great pleasure not only to us as Members here but to the people of this country as a whole.

Coming as it does at the end of your career in the Public Service we feel it is quite a fitting end to a very fine service in this country of ours and yours. You were born in this country, and received your infant nurture here and during the time that you had the pleasure as well as honour of serving us you have marked for yourself and—may I say—for all "creoles" of British Guiana a very splendid record in the line of service and accomplishment. I know that perhaps these remarks of mine will be to you somewhat of an embarrassment, sitting in the Chair as President, but nevertheless I feel I speak on behalf of every single member of this Council.

We consider it a great honour to this Council, that our President has been so honoured by Her Majesty. I am also sure, Sir, that every Member of this Council wishes to offer to you, as we in our individual capacity have done, our most hearty congratulations on the

[Mr. Gajraj]

honour which has been conferred upon you and to couple the name of Lady McDavid to our wishes. We wish that Almighty God will spare you long to wear this added dignity with the ease and grace with which we know you will be able to carry it. (applause).

**Mr. Cummings:** I rise to associate myself with the remarks of the hon. Member, Mr. Gajraj. Your record speaks for itself and, I feel, no useful purpose will be served by referring to it in detail. You have been Financial Secretary of this Colony, I understand, for a period of 18 years and you have rendered distinguished service well befitting the honour conferred upon you. I would ask that this Council record its deep appreciation of the honour which has been conferred not only upon you but upon this Council and also upon the people of this Colony in general. I tender you my hearty congratulations and, like the hon. Member, I also couple the name of Lady McDavid with these congratulations.

**The President:** Hon. Members, as Mr. Gajraj has suggested, I am indeed slightly embarrassed by the over-generous references which have been made to my public service, but I think I may be guilty of immodesty if I do not say that I very greatly appreciate them. Hon. Members, I can assure you that it is very heartening to me to be reassured by my colleagues and others, but parti-

cularly by my colleagues around this table, that the honour bestowed upon me is considered to be deserved. But what has heartened me more is the indication in the remarks, which have fallen from the two hon. Members who have been good enough to speak, that the award is regarded as a mark of distinction conferred through me on the Civil Service in whose ranks I have had the honour and privilege of serving over 30 years and also on the people of this Colony in which I was born and have dwelt and worked all my life.

I am also glad for this opportunity which has been afforded to me to continue in public service, and also that I have had the honour to be elected by this Body to be their President. I am deeply grateful for the remarks which have been made this afternoon, and I wish to record my sincere thanks and those of my wife for the good wishes which have been paid to us. I thank you very much, Mr. Gajraj and Mr. Cummings and all other Members, for the statements which have been made this afternoon. (applause).

Hon. Members, the Council will now adjourn until 10 a.m. on Monday next, 29th June. I hope on that occasion we may, if the business is not concluded in the morning, proceed to an afternoon session, if that is convenient to hon. Members, so that we may complete the agenda before us on that day.

The Council adjourned to 10 a.m. on Monday, 29th June, 1953.